

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DIMITRITZA H. TOROMANOVA,

Plaintiff,

FIRST AMERICAN TRUSTEE SERVICING
SOLUTIONS LLC, and RUSHMORE LOAN
MANAGEMENT SERVICES LLC.

Defendants

Case No.: 2:18-cv-01482-APG-VCF

**ORDER (1) DENYING AS MOOT
DEFENDANTS' MOTIONS TO DISMISS
FIRST AMENDED COMPLAINT, (2)
DENYING AS MOOT DEFENDANT'S
MOTION TO STRIKE REQUEST FOR
JUDICIAL NOTICE, AND (3)
TERMINATING DEFENDANTS WFG
AND U.S. BANK**

[ECF Nos. 43, 54, 66]

11 In a June 3, 2019 hearing, Judge Ferenbach granted defendant Rushmore Loan
12 Management Services, LLC’s motion to strike plaintiff Dimitritza H. Toromanova’s first
13 amended complaint. *See* ECF No. 83. Thus, the operative complaint in this case is
14 Toromanova’s original complaint. ECF No. 1. Prior to Judge Ferenbach’s ruling, however,
15 defendants Rushmore and WFG National Title Insurance Company moved to dismiss the first
16 amended complaint. ECF Nos. 54; 66. Those motions are now moot, so I dismiss them.

17 U.S. Bank, National Association and WFG were both named in Toromanova’s first
18 amended complaint but not named in her original complaint. *Compare* ECF Nos. 1, 51. Before
19 filing her first amended complaint, Toromanova sought to join U.S. Bank and WFG to her
20 original complaint, but Judge Ferenbach denied that motion. *See* ECF No. 36. As a result, U.S.
21 Bank and WFG are no longer defendants in this case. Additionally, Rushmore moved to strike
22 Toromanova’s request for judicial notice related to her motion to join. ECF No. 43. Because that
23 motion to join has been denied, Rushmore’s motion to strike is now moot.

1 IT IS THEREFORE ORDERED that defendants Rushmore Loan Management Services,
2 LLC's and WFG National Title Insurance Company's motions to dismiss plaintiff Dimitritza H.
3 Toromanova's first amended complaint (**ECF Nos. 54, 66**) are **DENIED as moot**.

4 IT IS FURTHER ORDERED that Rushmore Loan Management Services, LLC's motion
5 to strike Dimitritza H. Toromanova's request for judicial notice (**ECF No. 43**) is **DENIED as**
6 **moot**.

7 IT IS FURTHER ORDERED that WFG National Title Insurance Company and U.S.
8 Bank, National Association are dismissed as defendants in this action.

9 DATED this 14th day of June, 2019.

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11 ANDREW P. GORDON
12 UNITED STATES DISTRICT JUDGE
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